

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROGER R. CRANE, JR,

Plaintiff,

- vs -

POETIC PRODUCTS LIMITED,

Defendant.

**Case No. 07 Civ. 7063 (BSJ) (FM)**

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POETIC PRODUCTS LIMITED,

**NOTICE OF MOTION**

Counterclaimant,

- vs -

ROGER R. CRANE, JR,

Counterclaim Defendant.

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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Roger R. Crane, Jr., with exhibits, the Declaration of Tamar Y. Duvdevani, with exhibits, Plaintiff-Counterclaim Defendant's Memorandum of Law, Plaintiff-Counterclaim Defendant's 56.1 Statement, and all prior pleadings and proceedings herein, Plaintiff-Counterclaim Defendant Roger R. Crane Jr. ("Crane") will move before this Court for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure (1) granting summary judgment in favor of Crane and declaring that Crane's

play *The Last Confession* does not infringe Defendant-Counterclaimant Poetic Products' book *In God's Name: An Investigation Into The Murder Of Pope John Paul I*, and (2) dismissing all counterclaims against Crane.

Dated: New York, New York  
November 13, 2007

**NIXON PEABODY LLP**

By: /s/ Frank H. Penski  
Frank H. Penski (FP-9221)  
Tamar Y. Duvdevani (TD-7603)

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Roger R. Crane, Jr.*